

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION

CYNTHIA BARBOUR, in her capacity as)	
Trustee under the Admiralty M Trust,)	
JULIA LUNN, individually, and in her)	
capacity as Trustee under the)	
Admiralty M Trust, and ADAM)	
SPIEGEL,)	
)
Plaintiffs,)	No. 1:19-CV-00748-NCT-JEP
)
v.)	STIPULATION
)
TD AMERITRADE, INC., STEVEN)	TO WITHDRAW REMOVAL
KEARNS, and LAUREN SCOTT,)	PETITION AND TO
	REMAND TO
	SUPERIOR COURT
Defendants.)	
)

This matter came before the Honorable N. Carlton Tilley, Jr., Senior United States District Judge, on July 29, 2019, for a hearing at which the Court considered Plaintiffs Cynthia Barbour and Julia Lunn's motion to remand filed July 26, 2019 (D.E. #3) and the opposition filed July 29, 2019, by Defendants Steven Kearns and Lauren Scott (D.E. #5).

Plaintiffs Cynthia Barbour and Julia Lunn ("Plaintiffs") were represented by attorney Scott K. Tippett of the law firm of Hagen Barrett, PLLC. Defendants Steven Kearns and Lauren Scott ("Defendants") were represented by attorney B. Tyler Brooks of the Law Office of B. Tyler Brooks, PLLC. Adam Spiegel and TD Ameritrade, Inc., did not appear in any capacity despite receiving notice of the hearing.

Plaintiffs and Defendants having conferred and having announced a stipulation on the record in open court, it is hereby **STIPULATED** and **AGREED** that Defendants withdraw their petition for removal to this Court. It is further **STIPULATED** and **AGREED** that Plaintiffs hereby withdraw their request for attorney's fees and costs related to their motion to remand. Accordingly, Plaintiffs and Defendants shall each bear their own costs, fees, and expenses related to the removal and remand of this action.

Remand having been stipulated to, it is agreed that this matter may be returned to the North Carolina General Court of Justice, Superior Court Division, Guilford County, for all further proceedings.

Respectfully submitted, this the 31st day of July, 2019.

/s/Scott K. Tippett
Scott K. Tippett
N.C. Bar No. 22488
HAGAN BARRETT, PLLC
300 N. Greene St., Suite 200
Greensboro, North Carolina 27401
Telephone: (336) 232-0650
Facsimile: (336) 232-0651
stippett@haganbarrett.com

/s/B. Tyler Brooks
B. Tyler Brooks
N.C. Bar No. 37604
LAW OFFICE OF
B. TYLER BROOKS, PLLC
4050 Yellowfield Way
Cary, North Carolina 27518
Telephone: (336) 707-8855
Fax: (919) 584-8373
btb@btylerbrookslawyer.com

Counsel for Plaintiffs
Cynthia Barbour and Julia Lunn

Counsel for Defendants
Steven Kearns and
Lauren Scott

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically on July 31, 2019. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system. A copy will also be served by the Court's CM/ECF system on counsel for the plaintiffs and by First Class U.S. mail upon T.D. Ameritrade, Inc., and Adam Spiegel.

/s/B. Tyler Brooks
B. Tyler Brooks

SERVED:

Scott K. Tippett, Esq.
HAGAN BARRETT, PLLC
300 N. Greene St., Suite 200
Greensboro, North Carolina 27401

*Counsel for Plaintiffs
Cynthia Barbour and Julia Lunn*

TD AMERITRADE, INC.
176 Mine Lake Ct., Suite 100
Raleigh, North Carolina 27615-6417
(and via email to estates@tdameritrade.com)

Adam Spiegel
4078 Farmouth Drive
Los Angeles, CA 90027